

DAWN M. ROSS (143028)
GREGORY J. WALSH (209763)
CARLE, MACKIE, POWER & ROSS LLP
100 B Street, Suite 400
Santa Rosa, California 95401
Telephone: (707) 526-4200
Facsimile: (707) 526-4707

Attorneys for Plaintiffs
Winery Asset Management, Inc.,

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WINERY ASSET MANAGEMENT, INC., a
California corporation,

Plaintiff,

v.

CHUBB & SON INC., VIGILANT
INSURANCE COMPANY, and DOES 1
through 100, inclusive,

Defendants.

Case No. C06 -03605 MMC

**STIPULATION TO SUBSTITUTE
DEFENDANT**

Date: August 15, 2006
Time: 9:00 a.m.
Place: Courtroom E

Unlimited Civil

Plaintiffs WINERY ASSET MANAGEMENT, INC., a California corporation, and
Defendants, CHUBB & SON INC. and VIGILANT INSURANCE COMPANY, by and through
their respective attorneys, hereby stipulate that:

1. On June 26, 2006, Defendant Chubb & Son, Inc. filed a Motion to Dismiss. In
that motion, Chubb & Son, Inc. represented that it was not involved in the decision regarding
insurance coverage, which is the subject matter of this case. Instead, it represented that the entity
involved was Chubb & Son, a division of Federal Insurance Company.

2. Chubb & Son, a division of Federal Insurance Company, will be substituted into
the lawsuit in the place of Chubb & Son, Inc. Upon entry by the Court of this Stipulation, the
caption of the instant action shall be amended to read "Winery Asset Management, Inc. v. Chubb

Case No.: C06 -03605 MMC

1

Stipulation to Substitute Defendant

CARLE, MACKIE,
POWER & ROSS LLP

1 & Son, a division of Federal Insurance Company, et al.," and references to Chubb & Son Inc. in
2 the Complaint on file in the instant action shall be deemed to refer to Chubb & Son, a division of
3 Federal Insurance Company.

4 3. Chubb & Son, Inc. has taken its pending Motion to Dismiss off calendar.

5 4. Chubb & Son, a division of Federal Insurance Company, will have twenty (20)
6 days from the date of entry of an Order on this Stipulation to respond to the Complaint on file in
7 the instant action.

8
9 Dated: 8/4/06

TRESSLER, SODERSTROM, MALONEY & PRIESS, I.L.P

10
11 By: 

Rina Carmel
Attorneys for Defendants
Chubb & Son Inc., and
Vigilant Insurance Company

12
13
14 Dated: 8/4/06

CARLE, MACKIE, POWER & ROSS, LLP

15
16 By: 

Dawn M. Ross
Attorneys for Plaintiff
Winery Asset Management, Inc.

17
18
19 IT IS SO ORDERED.

20 Dated: August 7, 2006

21 
22 Honorable Maxine M. Chesney

23
24
25
26
27
28 Stipulation to Substitute Defendant